

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOMINGO COLON MONTAÑEZ and  
TIMOTHY A. HALE,

Plaintiffs,

v.

JEFFREY A. BEARD, Ph.D., Secretary &  
Commissioner of the Pennsylvania  
Department of Corrections, SCI-ROCKVIEW  
INMATE ACCOUNTING SUPERINTENDENT  
F. J. TENNIS, FRANCIS M. DOUGHERTY,  
EARL E. WALKER, RAYMOND CINGEL, and  
PENNSYLVANIA DOC,

Defendants.

CIVIL ACTION NO. 4:CV-04-2569

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)<sup>1</sup>

**ORDER**

**NOW**, this 22<sup>nd</sup> day of January, 2013, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 265) is **ADOPTED in its entirety**.
- (2) Defendants' Motion for Summary Judgment (Doc. 194) is **GRANTED**.
- (3) Plaintiff Timothy A. Hale's Motion for Summary Judgment (Doc. 199) is **DENIED**.
- (4) Plaintiff Domingo Colon Montañez's Motion for Summary Judgment (Doc. 200) is **DENIED**.
- (5) Plaintiff Montañez's Motion for Injunctive Relief (Doc. 238) is **DENIED**.
- (6) The Clerk of Court is directed to **ENTER** judgment in favor of Defendants and against Plaintiffs.
- (7) The Clerk of Court is directed to mark the case as **CLOSED**.

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/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge

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<sup>1</sup> The caption reflects Judge Mannion's office as a Magistrate Judge when he issued the Report and Recommendation here under review. He has since become a United States District Judge.